

109TH CONGRESS
2D SESSION

S. 2464

To revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2006

Mr. MCCAIN (for himself and Mr. KYL) introduced the following bill; which
was read twice and referred to the Committee on Indian Affairs

A BILL

To revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fort McDowell Indian
5 Community Water Rights Settlement Revision Act of
6 2006”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) FORT MCDOWELL WATER RIGHTS SETTLE-
 2 MENT ACT.—The term “Fort McDowell Water
 3 Rights Settlement Act” means the Fort McDowell
 4 Indian Community Water Rights Settlement Act of
 5 1990 (Public Law 101–628; 104 Stat. 4480).

6 (2) NATION.—The term “Nation” means the
 7 Fort McDowell Yavapai Nation, formerly known as
 8 the “Fort McDowell Indian Community”.

9 (3) SECRETARY.—The term “Secretary” means
 10 the Secretary of the Interior.

11 **SEC. 3. CANCELLATION OF REPAYMENT OBLIGATION.**

12 (a) CANCELLATION OF OBLIGATION.—The obligation
 13 of the Nation to repay the loan made under section 408(e)
 14 of the Fort McDowell Water Rights Settlement Act (104
 15 Stat. 4489) is cancelled.

16 (b) EFFECT OF ACT.—

17 (1) RIGHTS OF NATION UNDER FORT
 18 MCDOWELL WATER RIGHTS SETTLEMENT ACT.—

19 (A) IN GENERAL.—Except as provided in
 20 subparagraph (B), nothing in this Act alters or
 21 affects any right of the Nation under the Fort
 22 McDowell Water Rights Settlement Act.

23 (B) EXCEPTION.—The cancellation of the
 24 repayment obligation under subsection (a) shall
 25 be considered—

1 (i) to fulfill all conditions required to
2 achieve a full and final settlement of all
3 claims to water rights or injuries to water
4 rights under the Fort McDowell Water
5 Rights Settlement Act; and

6 (ii) to relieve the Secretary of any re-
7 sponsibility or obligation to obtain mitiga-
8 tion property or develop additional farm
9 acreage under section 410 the Fort
10 McDowell Water Rights Settlement Act
11 (104 Stat. 4490).

12 (2) ELIGIBILITY FOR SERVICES AND BENE-
13 FITS.—Nothing in this Act alters or affects the eligi-
14 bility of the Nation or any member of the Nation for
15 any service or benefit provided by the Federal Gov-
16 ernment to federally recognized Indian tribes or
17 members of such Indian tribes.

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